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# Fax

To: Examiner Gail Verditsky	From: Carl Conforti ( 508)672-8534
File: 703-872-9306	Pages: 9
Phone: 571-272-2253	Date: 06/03/04
Re: <u>Office Action Response</u>	CC: CC

☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

• Date: June 3, 2004  
Attorney Docket No. 05/01CC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Carl J. Conforti  
Serial No.: 10,612,512  
Filed: July 2, 2003  
For: Temperature Measure Device  
Examiner: Verditsky, Gail  
Group Art: 2859

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1460

Office Action Response

PAGE 10 - RECEIVED AT 07:04:15 PM Eastern Standard Time 6/3/2004 4:35:12 PM FAX 508-6728534 - CREDIT 11/25/04 - CREDIT 11/25/04 - CREDIT 11/25/04

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# Office Action Summary

Application No.

10/612,512

Applicant(s)

CONFORTI, CARL J.

Examiner

Gail Verbitsky

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on preliminary amendment filed on 04/20/04.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 19-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-21, 27-31 and 36-38 is/are rejected.
- 7) ☒ Claim(s) 22-26 and 32-35 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

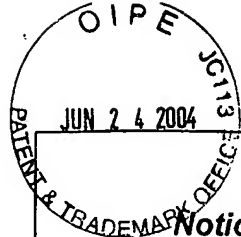
## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |



# **Notice of References Cited**

Application/Control No.

10/612,512

Applicant(s)/Patent Under  
Reexamination  
CONFORTI, CARL J.

Examiner

Gail Verbitsky

Art Unit

2859

Page 1 of 1

## **U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,450,970	09-2002	Mahler et al.	600/549
	B	US-2003/0095406	05-2003	Lebens et al.	362/231
	C	US-6,435,689	08-2002	Pitts, Algerome	362/84
	D	US-5,588,748	12-1996	Nomura et al.	374/158
	E	US-3,650,153	03-1972	Schwab, Ardath M.	374/158
	F	US-6,626,568	09-2003	Sato et al.	374/121
	G	US-2,787,937	04-1957	JOSEPH PRISAMENT	359/800
	H	US-3,268,716	08-1966	WILLIAM MACK	362/157
	I	US-2,761,057	08-1956	MODELL MARK G	374/191
	J	US-6,112,123	08-2000	Kelleher et al.	607/98
	K	US-6,027,499	02-2000	Johnston et al.	606/22
	L	US-			
	M	US-			

## **FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## **NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.